

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ROBERT CARSWELL,

Plaintiff(s),

CASE NUMBER: 02-73432  
HONORABLE VICTORIA A. ROBERTS

v.

KAREN JOHNSON, et al.,

Defendant(s).

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**ORDER DENYING MOTION TO APPOINT ATTORNEY**

This matter is before the Court on Plaintiff Robert Carswell's Motion to Appoint Attorney. Plaintiff is a *pro se* inmate in Inez, Kentucky. Plaintiff's complaint was dismissed in this matter on November 13, 2002. On July 19, 2007, the Court denied Plaintiff's motion to transfer him from Kentucky to a halfway house in Michigan. Plaintiff now requests appointment of an attorney and asserts a vague claim that money has been embezzled from his account.

The Court may, but is not obligated to, appoint counsel for indigent inmates in civil actions. *Willett v Wells*, 469 F.Supp. 748, 751 (D.C. Tenn. 1977). Such appointments are only justified in exceptional cases. *Id*; *Smith v ABN AMRO Mortgage Group, Inc.*, 2007 W.L. 950334, \*13 (S.D. Ohio 2007). This is not such a case.

Plaintiff's complaint was dismissed and there are no further matters pending before the Court. Consequently, there is no basis for an appointment of counsel. To the extent Plaintiff purports to assert a new cause of action, a motion is not the proper

vehicle to do so.

Plaintiff's motion for appointment of counsel is **DENIED**.

**IT IS SO ORDERED.**

S/Victoria A. Roberts  
Victoria A. Roberts  
United States District Judge

Dated: August 17, 2007

The undersigned certifies that a copy of this document was served on the attorneys of record and pro se plaintiff by electronic means or U.S. Mail on August 17, 2007.

s/Carol A. Pinegar  
Deputy Clerk